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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,082	01/29/2007	Davy Jacobs	S1022.71021US00	6131
46329	7590	08/23/2010		
STMicroelectronics Inc. c/o WOLF, GREENFIELD & SACKS, P.C. 600 Atlantic Avenue BOSTON, MA 02210-2206			EXAMINER VERDL KIMBLEANN C	
			ART UNIT 2194	PAPER NUMBER
			NOTIFICATION DATE 08/23/2010	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Patents_eOfficeAction@WolfGreenfield.com
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**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/561,082

Applicant(s)

JACOBS ET AL.

Examiner

KimbleAnn Verdi

Art Unit

2194

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 10 August 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because:
a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
b) ☐ They raise the issue of new matter (see NOTE below);
c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: None.
Claim(s) objected to: None.
Claim(s) rejected: 1-7 and 9-24.
Claim(s) withdrawn from consideration: None.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/Hyung S. SOUGH/
Supervisory Patent Examiner, Art Unit 2194
August 17, 2010

Continuation of 3. NOTE: Amendment to claims 1, 10, 14, 17, 18, 20, and 22-23 require the examiner to perform an additional search and examination. Amendment to claims 1,10,14, 17, 18, 20, and 22-23 contains new issue which further limits the scope of the claim. A computer readable medium encoded with software routines for use by an embedded software application requiring software (SW) protocol layers, profiles and/or application code embedded on a processor, the software routines, when executed, providing an interface between the embedded software application running on the processor and the SW protocol layers and/or the profiles and/or the application code... wherein the interface assigns priorities to tasks of the embedded software application such that the tasks of the embedded software application are interrupted by OS tasks. .

Continuation of 5. Applicant's reply has overcome the following rejection(s): 35 U.S.C. 112 rejection of claim 3, the 35 U.S.C. 101 rejection of claims 1-8 since the computer readable storage medium is limited to a non-transitory computer readable storage medium as disclosed in the specification on page 4, lines 26-28, and the objections to the drawings and specification .

Continuation of 11. does NOT place the application in condition for allowance because: as stated in the Final Office action dated 5/12/2010, page 6, item 9 through page 12, item 45, Motorola as modified by Atkinson et al. teaches a library of software program products, the library comprising a set of routines for an embedded software application requiring software (SW) protocol layers, profiles and/or application code embedded on a processor, the library providing further comprising software for an interface between the software application running on the processor and the SW protocol layers and/or the profiles and/or the application code, the interface and the SW protocol layers communicating towards an underlying operating system (OS) through an abstraction layer that maps OS-independent function calls to OS-specific function calls.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified API of Motorola with the teachings of software support layer from Atkinson because this feature would have provided a mechanism to abstract out a particular processor architecture, and if an operating system is also used, the nature of the connectivity between a particular operating system the processor operates under (paragraph [0050], lines 45-50 of Atkinson).